IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.39138 of 2008
ASHOK SAO
Versus
STATE OF BIHAR & ANR
---

2. 18.11.2008 Heard learned counsel for the petitioner and the State.

The petitioner is the husband apprehending arrest in a complaint case under section 498 (A) of the Penal Code and section ¾ of the Dowry Prohibition Act.

The submission is to keep the complainant with dignity, when despite notice she refused to appear before the court below.

The allegations are of physical assault.

That the complainant may have refused to appear, in that background, does not persuade this Court to grant him the privilege of anticipatory bail.

The application is rejected.

Any application for regular bail on behalf of the petitioner shall be considered by the court below on its own merit without being prejudiced by the present order including the guidelines laid down by this Court for grant of bail in 498 (A).

(Navin Sinha)

HR

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